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An Act To Amend the Law Governing Antlerless Deer Permits

Emergency preamble. Whereas, acts and resolves of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the ability of the Department of Inland Fisheries and Wildlife to manage Maine's antlerless deer population through the issuance of hunting permits is crucial to the overall health of Maine's deer population; and

Whereas, the super pack license contains provisions regarding the harvest of antlerless deer that need to be enacted before the Department of Inland Fisheries and Wildlife can issue antlerless deer permits under that license; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §11109-A, sub-§2, as enacted by PL 2005, c. 477, §4, is repealed and the following enacted in its place:

2. Antlerless deer permit. A super pack license includes:

A. The opportunity to enter an antlerless deer permit lottery pursuant to section 11152 as afforded by a license contained within the super pack license subject to the conditions and restrictions placed on that license; and

B. An antlerless deer permit as provided under section 11152, except that it is valid only for antlerless deer in wildlife management districts in which at least 5,000 antlerless deer permits are issued. No more than 2.5% of those antlerless deer permits may be in the form of a super pack license. The commissioner shall implement a system for issuing antlerless deer permits under this subsection.

Sec. 2. 12 MRSA §11109-A, sub-§3, ¶B, as enacted by PL 2007, c. 163, §1 and affected by §3, is amended to read:

B. One deer in accordance with subsection 2, paragraph B; and

Sec. 3. 12 MRSA §11109-A, sub-§3, ¶C, as enacted by PL 2007, c. 163, §1 and affected by §3, is amended to read:

C. Three antlerless deer during the special archery season in accordance with section 11402, subsection 4.

Sec. 4. 12 MRSA §11152, sub-§4, as enacted by PL 2003, c. 414, Pt. A, §2 and affected by c. 614, §9, is amended to read:

4. Landowner consideration. An antlerless deer permit system adopted by the commissioner pursuant to this section may include a provision giving special consideration to landowners who keep their lands open to hunting by the public. As part of the special consideration to those landowners, the commissioner shall provide at least 25% of the available antlerless deer permits in a wildlife management district to eligible landowners that apply for an antlerless deer permit in that district. Any 2 or more areas of land owned by the same person that are open for hunting and that would be contiguous except for being divided by one or more roads are considered contiguous for the purposes of determining landowner eligibility for special consideration under this subsection.

Emergency clause. In view of the emergency cited in the preamble, this legislation takes effect when approved.

Effective March 12, 2008.